

**FORTIETH DAY**

---

MORNING SESSION

---

Senate Chamber, Olympia, Friday, February 17, 2012

The Senate was called to order at 10:00 a.m. by the President Pro Tempore. No roll call was taken.

The Sergeant at Arms Color Guard consisting of Pages Zachary Teply and Zachary Vaishampayan, presented the Colors. Senator Morton offered the prayer.

MOTION

On motion of Senator Frockt, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 16, 2012

SHB 1073 Prime Sponsor, Committee on Judiciary: Authorizing persons designated by the decedent to direct disposition, if the decedent died while serving on active duty in any branch of the United States armed forces, United States reserve forces, or national guard. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Chase; Nelson and Roach.

Passed to Committee on Rules for second reading.

February 16, 2012

HB 1207 Prime Sponsor, Representative Overstreet: Complying with the constitutional requirement to set a starting time for regular legislative sessions. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Chase; Nelson and Roach.

Passed to Committee on Rules for second reading.

February 16, 2012

EHB 1234 Prime Sponsor, Representative Moscoso: Addressing law enforcement crime prevention efforts regarding security alarm systems and crime watch programs for residential and commercial locations. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Chase; Nelson and Roach.

Passed to Committee on Rules for second reading.

February 16, 2012

SHB 1470 Prime Sponsor, Committee on Education: Regarding access to K-12 campuses for occupational or educational information. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Rolfes, Vice Chair; Litzow; Fain; Harper; Hill; King and Tom.

MINORITY recommendation: Do not pass. Signed by Senator Nelson.

Passed to Committee on Rules for second reading.

February 16, 2012

SHB 1518 Prime Sponsor, Committee on State Government & Tribal Affairs: Authorizing pretax payroll deductions for qualified transit and parking benefits. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Chase; Nelson and Roach.

Passed to Committee on Rules for second reading.

February 16, 2012

HB 1669 Prime Sponsor, Representative Santos: Regarding the educational opportunity gap. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators McAuliffe, Chair; Rolfes, Vice Chair; Litzow; Eide; Harper; Nelson and Tom.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fain; Hill and King.

Passed to Committee on Rules for second reading.

February 16, 2012

SHB 2056 Prime Sponsor, Committee on Health Care & Wellness: Concerning assisted living facilities. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Becker; Carrell; Kline; Parlette and Pridemore.

Passed to Committee on Rules for second reading.

February 16, 2012

HB 2213 Prime Sponsor, Representative Chandler: Modifying certain definitions for the purpose of firefighting services for unprotected lands. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Chase; Nelson and Roach.

Passed to Committee on Rules for second reading.

February 16, 2012  
HB 2232 Prime Sponsor, Representative McCoy: Establishing a government-to-government relationship between state government and federally recognized Indian tribes. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Chase and Nelson.

Passed to Committee on Rules for second reading.

February 16, 2012  
ESHB 2233 Prime Sponsor, Committee on State Government & Tribal Affairs: Creating a procedure for the state's retrocession of civil and criminal jurisdiction over Indian tribes and Indian country. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Chase and Nelson.

Passed to Committee on Rules for second reading.

February 16, 2012  
HB 2285 Prime Sponsor, Representative Hunt: Making technical corrections to campaign finance laws. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Chase; Nelson and Roach.

Passed to Committee on Rules for second reading.

February 16, 2012  
HB 2339 Prime Sponsor, Representative Sells: Providing unemployment insurance benefit charging relief for part-time employers who continue to employ a claimant on a part-time basis and the claimant qualified for two consecutive claims with wages attributable to at least one employer who employed the claimant in both base years. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Holmquist Newbry; King; Hewitt; Keiser and Kline.

Passed to Committee on Rules for second reading.

February 16, 2012  
ESHB 2344 Prime Sponsor, Committee on Labor & Workforce Development: Authorizing certain corporate officers to receive unemployment benefits. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Holmquist Newbry; King; Hewitt; Keiser and Kline.

Passed to Committee on Rules for second reading.

February 16, 2012  
SHB 2439 Prime Sponsor, Committee on Health Care & Wellness: Allowing persons satisfying physical therapy clinical education requirements to be exempt from licensure while under the direct supervision of a licensed physical therapist assistant. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Becker; Carrell; Kline; Parlette and Pridemore.

Passed to Committee on Rules for second reading.

February 16, 2012  
HB 2485 Prime Sponsor, Representative Probst: Authorizing school districts to use electronic formats for warrants. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators McAuliffe, Chair; Rolfes, Vice Chair; Litzow; Eide; Fain; Harper; Hill; King; Nelson and Tom.

Passed to Committee on Rules for second reading.

February 16, 2012  
SHB 2491 Prime Sponsor, Committee on Labor & Workforce Development: Addressing when predecessor-successor relationships do not exist for purposes of unemployment experience rating. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Holmquist Newbry; King; Hewitt; Keiser and Kline.

Passed to Committee on Rules for second reading.

February 16, 2012  
SHB 2608 Prime Sponsor, Committee on Early Learning & Human Services: Requiring the department of early learning to develop state early learning guidelines. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Rolfes, Vice Chair; Litzow; Eide; Fain; Harper; Hill; King; Nelson and Tom.

Passed to Committee on Rules for second reading.

February 16, 2012  
HB 2758 Prime Sponsor, Representative Hunter: Strengthening the department of revenue's ability to collect spirits taxes imposed under RCW 82.08.150. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Holmquist Newbry; King; Hewitt; Keiser and Kline.

Passed to Committee on Rules for second reading.

REPORTS OF STANDING COMMITTEES  
 GUBERNATORIAL APPOINTMENTS

FORTIETH DAY, FEBRUARY 17, 2012

2012 REGULAR SESSION

February 16, 2012

SGA 9053 STEPHEN L JOHNSON, appointed on May 1, 2009, for the term ending February 28, 2015, as Member of the Board of Tax Appeals. Reported by Committee on Ways & Means

MOTION

Senator Rolfes moved adoption of the following resolution:

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Parlette; Baumgartner; Brown; Conway; Fraser; Harper; Hatfield; Hewitt; Honeyford; Keiser; Kohl-Welles; Padden; Regala; Schoesler and Tom.

SENATE RESOLUTION  
8686

By Senators Fraser, Parlette, Haugen, Sheldon, Kilmer, Kastama, Murray, Ericksen, Frockt, Shin, Nelson, Delvin, Ranker, Pridemore, Fain, Hobbs, Stevens, Rolfes, Conway, Prentice, Keiser, King, Chase, Regala, Eide, Swecker, Schoesler, Morton, Benton, Holmquist Newbry, Padden, Honeyford, Litzow, Roach, Brown, Becker, Baumgartner, Hewitt, Kohl-Welles, Kline, Harper, Hargrove, Hill, Hatfield, Tom, Pflug, and Zarelli

Passed to Committee on Rules for second reading.

February 16, 2012

SGA 9277 BRAD FLAHERTY, appointed on January 12, 2012, for the term ending at the governor's pleasure, as Director of the Department of Revenue. Reported by Committee on Ways & Means

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Parlette; Brown; Conway; Fraser; Harper; Hatfield; Hewitt; Honeyford; Keiser; Kohl-Welles; Padden; Regala; Schoesler and Tom.

WHEREAS, March 12, 2012, marks the Centennial Anniversary of Girl Scouts of the United States of America. For 100 years, Girl Scouting has helped build millions of girls and women of courage, confidence, and character who make the world a better place; and, further, advances research, policy, and programmatic expertise on girls' behalf; and

MINORITY recommendation: That said appointment not be confirmed. Signed by Senator Baumgartner.

WHEREAS, Girl Scouts USA has declared 2012 the Year of the Girl and launched a new initiative dedicated to girls' leadership; and the award winning Girl Scout Leadership Program helps girls contribute to society as leaders, thinkers, and responsible citizens; and

Passed to Committee on Rules for second reading.

WHEREAS, Core programs around Science, Technology, Engineering, and Math (STEM), environmental stewardship, healthy living, financial literacy, and global citizenship help girls develop a solid foundation in leadership; and

MOTION

On motion of Senator Frockt, all measures listed on the Standing Committee report were referred to the committees as designated.

WHEREAS, Today, Girl Scouts in Washington state reaches a diverse and plural constituency of 34,000 girls, and ensures access for all regardless of their financial circumstances; and a dedicated network of thousands of volunteers share their diverse backgrounds, abilities, and areas of expertise to support our girls across the state;

MOTION

On motion of Senator Frockt, the Senate advanced to the fifth order of business.

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate commend the Girl Scouts for its 100th Year Anniversary and its 2012 Year of the Girl initiative and for its mission to raise girls of courage, confidence, and character who make the world a better place.

INTRODUCTION AND FIRST READING

SB 6599 by Senators Haugen, King, Prentice, Conway, Eide, Hargrove, Swecker and Hill

Senators Rolfes, Becker, Kohl-Welles and King spoke in favor of adoption of the resolution.

AN ACT Relating to permitting for the replacement of certain elements of the state route number 520 Evergreen Point bridge; amending RCW 90.58.140; creating a new section; providing an expiration date; and declaring an emergency.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8686.

Referred to Committee on Transportation.

The motion by Senator Rolfes carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

MOTION

On motion of Senator Frockt, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

The President Pro Tempore welcomed and introduced Catherine Gelbrand, Chair of the Board of Directors of Girl Scouts of Western Washington (GSWW); Cynthia Lanners, Board Member representing Community Volunteers, GSWW; and other distinguished representatives of the Girl Scouts of Washington who were seated in the gallery.

MOTION

On motion of Senator Frockt, the Senate advanced to the eighth order of business.

At 10:19 a.m., on motion of Senator Frockt, the Senate adjourned until 12:00 noon, Monday, February 20, 2012.

MOTION

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

Draft



1073-S  
Committee Report ..... 1

1207  
Committee Report ..... 1

1234  
Committee Report ..... 1

1470-S  
Committee Report ..... 1

1518-S  
Committee Report ..... 1

1669  
Committee Report ..... 1

2056-S  
Committee Report ..... 1

2213  
Committee Report ..... 1

2232  
Committee Report ..... 2

2233-S  
Committee Report ..... 2

2285  
Committee Report ..... 2

2339  
Committee Report ..... 2

2344-S

Committee Report ..... 2

2439-S  
Committee Report ..... 2

2485  
Committee Report ..... 2

2491-S  
Committee Report ..... 2

2608-S  
Committee Report ..... 2

2758  
Committee Report ..... 2

6599  
Introduction & 1<sup>st</sup> Reading ..... 3

8686  
Adopted ..... 3  
Introduced ..... 3

9053 Stephen Johnson  
Committee Report ..... 3

9277 Brad Flaherty  
Committee Report ..... 3

PRESIDNET OF THE SENATE (SENATOR PRENTICE  
PRESIDING)  
Intro. Special Guests, Western Washington Girl Scouts  
Representatives ..... 3